

Application. No. 09/836,544
Amendment dated 7/07/04
Reply to Office Action of June 7, 2004

REMARKS

With the entry of this amendment, claims 1, 5, 7, 15-17, 19 and 24 are in this application. The claims have been amended to insert sequence identifiers. None of the amendments made herein constitutes the addition of new matter.

Applicants previously elected (with traverse) the claims of Group I (DNA claims) for examination. Within that claimed subject matter, Applicants elected the DNA encoding CD27 for examination.

The Examiner has required notification of the elected sequence number. Claims 1 and 24 read on the elected sequence. The elected CD27 coding sequence is SEQ ID NO:28 (see also Table 5). Amended claims are provided herein which include the recitation of sequence identifiers.

Applicants repeat their traversal of the requirement for the election of species. Applicants respectfully urge that the Patent Office search at least ten cDNAs, for consistency with the Manual of Patent Examining Procedure, where it is stated that a "reasonable number" of sequences be searched in one application. With respect to the requirement for election between nucleic acids and proteins, Applicants respectfully request that the Patent Office search first nucleic acids encoding CD27, and then the protein, as related subject matter. Applicants make no admission that a nucleic acid and the encoded protein are obvious variants of one another.

Conclusion

In view of the foregoing, it is submitted that this case is in condition for allowance, and passage to issuance is respectfully requested.

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If there are any outstanding issues related to patentability, the courtesy of a telephone interview is requested, and the Examiner is invited to call to arrange a mutually convenient time.

It is believed that this response does not necessitate the payment of any fees under 37 C.F.R. 1.16-1.17. If this is incorrect, however, please charge any fees due under the foregoing Rules to Deposit Account No. 07-1969.

Respectfully submitted,



Donna M. Ferber
Reg. No. 33,878

GREENLEE, WINNER AND SULLIVAN, P.C.
5370 Manhattan Circle, Suite 201
Boulder, CO 80303
Telephone (303) 499-8080
Facsimile: (303) 499-8089
Email: winner@greenwin.com
Attorney Docket No.: 11-88L
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